Remarks

Applicant respectfully requests reconsideration of this application. Claims 1-30 are pending. Claims 1, 7-9, 11, 17-19, 21, 25, and 27-29 have been amended. Claims 6, 16, and 26 have been cancelled. No claims have been added. Therefore, claims 1-5, 7-15, 17-25, and 27-30 are now presented for examination.

35 U.S.C. §102 Rejection,

Levine et al.

The Examiner rejected claims 1-4, 6, 7, 10-14, 16, 17, 20-22 and 24-26 under 35 U.S.C. 102(e) as being anticipated over U.S Patent 6,134,710 of Levine et al. ("Levine").

It is respectively submitted that Levine does not contain the elements of the rejected claims. Among other differences, Levine does not address a first level profile buffer that is non-architecturally visible and a first level profile buffer that is architecturally visible.

Without any concession regarding the rejection, claim 1 has been amended. As amended herein, claim 1 reads as follows:

1. A method comprising:

    selecting one or more microarchitecture events relating to a microprocessor executing an application process to be monitored by one or more hardware monitors;

    establishing parameters regarding the monitoring of the microarchitecture events by setting one or more monitor control vectors;

    storing profile data that is captured by the one or more hardware monitors regarding the occurrence of the one or more microarchitecture events in a first level profile buffer, the first level profile buffer being a non-architecturally visible memory;

transferring the captured profile data from the first level profile

buffer to a second level profile buffer, the second level

profile buffer being an architecturally visible storage;

obtaining the captured profile data from the second level profile

buffer;

processing the captured profile data;

identifying a region of interest in the application process for

optimization based at least in part on the captured profile

data; and

optimizing the region of interest in the application process.

Included in claim 1 is "storing profile data that is captured by the one or more

hardware monitors regarding the occurrence of the one or more microarchitecture events

in a first level profile buffer, the first level profile buffer being a non-architecturally

visible memory;" and "transferring the captured profile data from the first level profile

buffer to a second level profile buffer, the second level profile buffer being an

architecturally visible storage". It is respectfully submitted that such elements, among

others, are not contained in Levine.

Levine does not provide for any structure with a first level profile buffer and a

second level profile buffer. With regard to the architectural visibility of a buffer, the

Office Action cites to column 11, lines 42-53 for the concept of accessing a buffer.

However, there is no suggestion in Levine regarding a first level profile buffer that is not

architecturally visible, and a second level profile buffer that is architecturally visible.

Further, there is no suggestion of storing captured profile data in the first profile buffer,

or for transferring profile data from the first level profile buffer to the second level profile

buffer.

Therefore, for the reasons shown above and other reasons, Levine does not anticipate all the elements of claim 1. It respectfully submitted that such claim is patentable.

It is submitted that the arguments presented above also apply to independent claims 11 and 21, and for this reason, among others, such claims also are not anticipated by Levine. The remaining rejected claims are dependent claims and are allowable because they are dependent on the allowable base claims.

35 U.S.C. §103 Rejection,
Levine et al.

The Examiner rejected claims 5, 15, 23 and 27 under 35 U.S.C. 103(a) as being unpatentable over Levine as applied to claims 2, 12, 22 and 26, respectively.

Without any concession regarding the rejection, it is submitted that the rejected claims are dependent claims and are allowable because they are dependent on the allowable base claims, claims 1, 11, and 21, as shown above.

35 U.S.C. §103 Rejection,
Levine et al. in view of Krishnaswamy et al.

The Examiner rejected claims 8, 9, 18, 19 and 28-30 under 35 U.S.C. 103(a) as being unpatentable over Levine as applied to claims 7, 17 and 27, respectively, in view of U.S. Patent 6,622,300 of Krishnaswamy et al. ("Krishnaswamy").

The Krishnaswamy reference does not contain the elements missing from Levine, and thus does not add anything in this regard. It is submitted that the rejected claims are dependent claims and are allowable because they are dependent on the allowable base claims, claims 1, 11, and 21.

Conclusion

Applicant respectfully submits that the rejections have been overcome by the Amendment and Remark, and that the claims are in condition for allowance. Accordingly, Applicant respectfully requests the objections and rejections be withdrawn and the claims be allowed.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (503) 439-8778 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136 (a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17 (a) for such an extension.
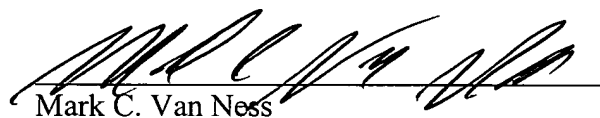
Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 7/7/04

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